

MATP-596US

Appln. No.: 09/702,229
Amendment Dated November 13, 2003
Reply to Office Action of August 13, 2003

Remarks/Arguments:

Claims 1-16 are pending. All claims are rejected. Applicants have amended claims 1, 5, and 9 to recite that the data signal is provided to a shared device exclusive of television (or audio/video) signals. Support for this amendment is found at page 6, lines 8-20 and page 9, lines 6-15 in the application as originally filed. No new matter is added.

Claims 1-11 and 13 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,437,830 to Horlander (hereinafter "Horlander"). Claim 13 is also rejected under 35 U.S.C. 103(a) as being unpatentable over Horlander. These grounds for rejection are overcome by the amendments to claims 1, 5, and 9. In particular, Horlander does not disclose or suggest:

... a terminal for applying a data stream to the television receiver, the data stream including a television signal and the auxiliary data;

a controller internal to the television receiver which processes the data stream to extract the auxiliary data;

at least one shared data device coupled to the television receiver;

a communications channel for coupling the television receiver to the at least one shared data device to transfer the auxiliary data *exclusive of the television signal* from the controller to the at least one shared data device.

as set forth in claim 1;

... a television receiver for receiving and processing the digital television signal, to provide a processed television signal, and to provide the auxiliary data signal *exclusive of the processed television signal* in accordance with a shared data device communications channel protocol;

said at least one shared data device;

a shared data device communications channel, that operates according to the shared data device communications channel protocol, for coupling the television receiver to the at least one shared data device; and

a display device for receiving and displaying the processed television signal.

as set forth in claim 5; and

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... a front end interface for receiving and processing a digital television signal and providing video and audio signals;

a remote control receiver for receiving an initialization signal and providing a control signal;

a video processing and decoding portion for receiving, processing, and decoding the video signal and providing an output video signal;

an audio processing and decoding portion for receiving, processing, and decoding the audio signal and providing an output audio signal;

a controller for receiving the video, audio and initialization signals, and providing data signals and further control signals;

an output interface portion coupled to a communication channel for receiving the output audio and video signals and for providing the output audio and video signals for presentation; and

a shared data decoder and formatter coupled to the controller for receiving the data signals *exclusive of the audio and video signals* and, responsive to the initialization signal, for formatting the data signal according to a predetermined format and for providing the formatted data signal in accordance with a communications channel protocol.

as set forth in claim 9. Each of these claims require that the data signal is provided to the shared data device *exclusive of* a television (or audio/video) signal with which it was received. Horlander discloses a system in which the auxiliary data is encoded in the television signal's vertical blanking index (VBI) for transmission. The television signal with the VBI encoded auxiliary data is then transferred to various other devices. See FIGs. 3-5 of Horlander depicting conventional video/audio interconnections between all components. Horlander, however, does not disclose, teach, or suggest separating the auxiliary data from the television signal and transferring the auxiliary data *exclusive of* the television signal to other devices. Consequently, Horlander does not disclose teach or suggest all of the limitations in claims 1, 5, and 9.

These limitations give the subject invention an advantage over Horlander. Since the auxiliary data is separated from the television signal and transferred to a shared device *exclusive of* the television signal, smaller files with non-programming data may be communicated from the receiver to the shared data device, thereby reducing bandwidth needs for communicating this auxiliary data and the processing resources needed to extract the auxiliary data at the shared data device. For example, auxiliary data including a coupon or a

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portion of an electronic program guide (EPG) may be transferred to a shared device such as a printer for printing.

Because all limitations of each of claims 1, 5, and 9 are not disclosed, taught, or suggested by Horlander, the subject invention as defined by claims 1, 5, and 9 are not subject to rejection under 35 U.S.C. §102(e) as anticipated by Horlander. Accordingly, the Examiner's rejection of these claims should be withdrawn.

Claims 2-4, 6-8, 10, 11, and 13 which depend (either directly or indirectly) from one of claims 1, 5, and 9 and, therefore, contain all the limitation thereof are patentable for at least the reason that the independent claims from which they depend are patentable. Accordingly, the examiner's rejection of claims 2-4, 6-8, 10, 11, and 13 should be withdrawn.

Claims 14-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,982,445 to Eyer et al. (hereinafter Eyer). Since claims 14-16 include features that are neither disclosed nor suggested by Eyer, this ground for rejection is respectfully traversed. In particular, Eyer does not disclose or suggest:

- c) acquiring a page of the auxiliary data;
- d) formatting the page of auxiliary data in accordance with requirements of the type of shared data device; and
- e) transferring said page of data to said shared data device.

as set forth in claim 14. Claim 14 recites that a page of auxiliary data is acquired, formatted in accordance with a shared device, and transferred to the shared device. Eyer does not disclose, teach, or suggest these limitations. In Eyer, an apparatus and method are disclosed for providing textual and graphical displays for display on a television using hypertext markup language (HTML) and for control of various television and non-television functions using these textual and graphical displays. See column 4, lines 21-24 of Eyer.

In rejecting claim 14, the Examiner states that "auxiliary data is remove from the composite data stream and is applied to a shared device which can be any of various appliances including a heating or air-conditioning device, washing machine, or security system (e.g., col. 12 lines 65 - col. 13 line 3)." In Eyer, the data is removed from the data stream for use in

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generating HTML based textual and graphical displays to provided an interface for controlling a television and other appliances. Eyer, however, teaches only transferring control signals generated using the graphical displays, rather that transferring the auxiliary data itself. The Examiner additionally points out that the Eyer reference discloses processing auxiliary data at column 13, lines 48-56. A careful reading of Eyer reveals, however, that this auxiliary data is for display on a television, rather that a shared data device as recited in claim 14. See column 13, lines 44-62. Thus, Ayer does not disclose acquiring a page of auxiliary data, formatting the page in accordance with requirements of the shared data device, and transferring the page of data to the shared data device. Further, Eyer is devoid of any teaching or suggestion of these limitations.

These limitations give the subject invention an advantage over Eyer. Specifically, a page of auxiliary data such as a coupon or a portion of an electronic program guide can be formatted and transferred to a shared data device such as a printer for printing and use by a viewer.

Because these limitations are neither disclose nor suggested by Eyer, the subject invention as defined by claim 14 is not subject to rejection under 35 U.S.C. §103(a) as unpatentable over Eyer. Accordingly, the Examiner's rejection of this claim should be withdrawn.

Claims 15 and 16, which depend from claim 14 and, therefore, contain all the limitations thereof, are patentable for at least the reason that claim 14 is patentable. Accordingly, the Examiner's rejection of claims 15 and 16 should be withdrawn.

The applicant reviewed the prior art made of record and not relied upon and found that none of the references that were cited but not applied appear to disclose or suggest the invention as defined by the current claims.

Applicants are submitting an IDS disclosing U.S. Patent No. 6,052,556 to Sampsell (hereinafter "Sampsell") on even date herewith. The Examiner in charge of the above-identified application is requested to consider and make this reference of record. Although Sampsell may be "material" to the Examiner's consideration of the subject application, the submission is not intended to constitute an admission that Sampsell is "prior art" as to the claimed invention.

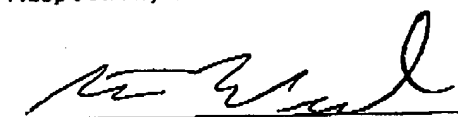
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Sampsell does not appear to disclose, teach, or suggest the invention as defined by the current claims.

In view of the amendments and remarks set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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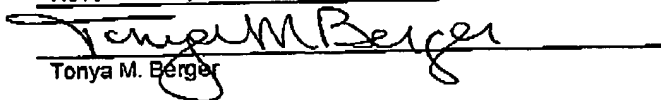
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